

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF  
PENNSYLVANIA

RITA WILCZYNSKI :  
Plaintiff, :  
: :  
v. : Case No. 2:13-cv-06520-RB  
: :  
THE SCHREIBER LAW FIRM, PLLC, :  
Defendant, :  
: :

**ANSWER OF DEFENDANTS THE SCHREIBER LAW FIRM, PLLC et. al. TO THE  
COMPLAINT OF RITA WILCZYNSKI**

THE SCHREIBER LAW FIRM, PLLC, (Defendant) by and through attorney, DAVID KENNEDY BIFULCO, Esquire. answers the allegations in the complaint filed by RITA WILCZYNSKI (Plaintiff):

**INTRODUCTION**

1. Admitted in Part Denied in Part: Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA). The Defendants actions in this matter were not illegal and there were no violations.

**JURISDICTION AND VENUE**

2. Admitted in Part, Denied in Part: Jurisdiction of this court arises under 28 U.S.C. § 1331 and pursuant to *15 U.S.C. 1692k(d)*.  
3. Admitted.  
4. Admitted.

**PARTIES**

5. Admitted.  
6. Admitted:

7. Admitted: Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6).

Defendant is an organization with a business office located in Trevose, Pennsylvania.

8. Admitted.

9. Admitted.

10. Admitted.

### **FACTUAL ALLEGATIONS**

11. Admitted in Part Denied in Part: A call was made however, after reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

12. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

13. Admitted.

14. Admitted.

15. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

16. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

17. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

**CAUSES OF ACTION**

**COUNT I**

**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Denied: After reasonable investigation the Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of these allegations, and therefore said allegations are denied.

**AFFIRMATIVE DEFENSES**

And now having responded to each of the Plaintiff's allegations and having denied any liability in this matter whatsoever, Defendant sets forth the following affirmative defenses:

Any act or action taken by Defendant was a permitted action under 15 U.S.C. 1692 et seq.

That Defendant Law Firm is a law firm.

That Plaintiff's claims fail to state a claim upon which relief may be granted.

WHEREFORE, Defendant, THE SCHREIBER LAW FIRM, PLLC, respectfully requests judgment be entered against the Plaintiff, Rita Wilczynski, and in favor of the Defendant, THE SCHREIBER LAW FIRM, PLLC, David K. Bifulco, and Miss Alexander, and that this Honorable Court award Attorney Fees to the Defendant in the amount of \$5,000.00 and any other relief the court deems just and proper.

RESPECTFULLY SUBMITTED,

By:

  
**DAVID KENNEDY BIFULCO, ESQUIRE**

Of Counsel

The Schreiber Law Firm, PLLC

PA Atty. I.D. No. 310038

Six Interplex Drive, Suite 212

Trevose, PA 19053

Office: (610) 676-0650

Fax: (610) 646-7444

Date: 12/20/13